

REMARKS

Claim Rejections 35 U.S.C. § 102 (b)

The Examiner has rejected claims 1-2 and 5-8 under 35 U.S.C. §102 (b) as being anticipated by Lehovec. (U. S. 3,668,404).

Applicant has withdrawn claims 1-2 and 5-8 without prejudice.

Allowable Subject Matter

Claim 9

The Examiner has stated that claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has rewritten claim 9 in independent form including all of the limitations of base claim 6.

Claim 9, as amended, of Applicant's claimed invention claims an apparatus including: a source of light; optical elements; and an aperture (1010), the aperture including: an opaque plate (1012); a central opening (1025) located in the opaque plate; and at least one peripheral opening (1015) located away from the central opening in the opaque plate where the at least one peripheral opening includes four openings equidistant from the central opening and where a filter may reduce intensity of the light passing through the at least one peripheral opening with respect to the light passing through the central opening. See Figure 4 (b).

Support for the amendment of claim 9 regarding an imaging tool is provided at lines 24-29 on page 6 of the specification. Further support for the amendment of claim 9 regarding an aperture is provided at lines 3-6 on page 8 of the specification.

Claim 11, 14, and 15

The Examiner has allowed claims 11, 14, and 15.

The Examiner has stated that the reasons for allowance are that these claims are not taught or suggested in the prior art. See page 3 of the Office Action dated July 29, 2003.

Conclusion

Applicant believes that all claims pending are now in condition for allowance so such action is earnestly solicited at the earliest possible date.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact the undersigned at (408) 720-8300.

Respectfully submitted,

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